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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant** : Gary Lynn Eesley  
**Serial No.** : 09/804,756  
**Filed** : March 13, 2001  
**Title** : HIGH PERFORMANCE HEAT EXCHANGE ASSEMBLY  
  
**Art Unit** : 3743  
**Examiner** : Nihir B. Patel  
  
**Docket No.** : DP-301709

**TERMINAL DISCLAIMER TO OBVIATE  
A NONSTATUTORY DOUBLE PATENTING REJECTION**

**Commissioner of Patents**  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

The owner, Delphi Technologies Inc., of 100% interest in the instant Application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above identified application which would extend beyond the expiration date of the full statutory term of United States Patent Nos. 6,424,529 and 6,424,531. The owner hereby agrees that any patent granted on the above-identified application shall be enforceable only for and during such period that '529 and '531 patents are commonly owned with the above-identified application. This agreement is to run with any patent granted on the above-identified application, and to be binding upon the grantor, its successors or assignees.

In making the above disclaimer, the owner does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of the '529 and '531 patents, in the event that they later: expire for failure to pay a maintenance fee, are held unenforceable, are found invalid, are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a re-examination certificate, are reissued, or are otherwise terminated prior to expiration of its full statutory term, except for the separation of legal title stated above.

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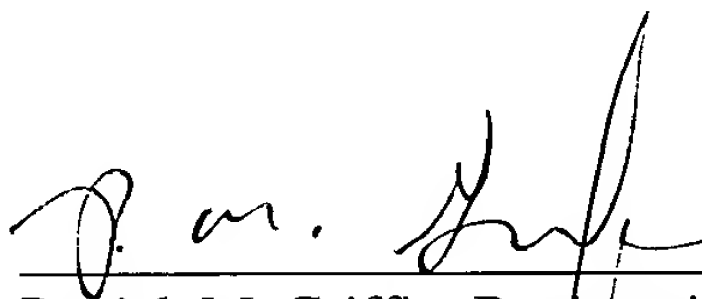
**Applicant: Eesley et al.**  
**Serial No.: 09/804,756**  
**Art Unit:3743**

I hereby declare that all statements made herein of my own knowledge are true and that all statement made on information and beliefs are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, and that such willful false statements may jeopardize the validity of the application of any patent issued thereon. The undersigned is the attorney of record.

The Commissioner is authorized to charge our Deposit Account No. 50-0831 in the amount of \$110.00 to cover the fee required by 37 C.F.R. §1.20(d) and for any additional fees.

**Respectfully submitted,**

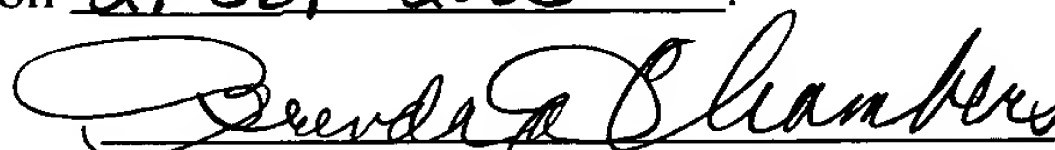
Dated: 9-26-03



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**CERTIFICATE OF MAILING**

I hereby certify that the attached Terminal Disclaimer To Obviate A Nonstatutory Double Patenting Rejection is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the, Commissioner of Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on 29-SEP-2003.

  
BRENDA D. CHAMBERS